



Attorney Docket 040750-5001200

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **H.J. Su Huang *et al.***)
Application No. **09/071,541**) Group Art Unit: **1623**
Filed: **May 4, 1998**) Examiner: **K. Kahler Fofia, Ph.D.**
For: **Methods to Modulate the Resistance of Cells to**)
Apoptosis Mediated by Mutant Epidermal)
Growth Factor Receptors)

Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated December 14, 2001 (Paper No. 19) of the Examiner finally rejecting claims 1-16.

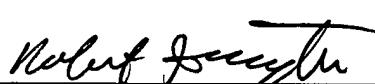
The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a). Applicants petition for a three month extension of time, from March 14, 2002 to June 14, 2002, the small entity fee for which is \$460.00 as set forth in 37 C.F.R. 1.17(a)-(d). If an additional extension of time is required, please consider this a Petition therefor.

The Commissioner is hereby authorized to charge **\$620.00** to Deposit Account No. 50-0310 for payment of the small entity three-month extension of time fee (\$460.00) and the Notice of Appeal fee (\$160.00). The Commissioner is hereby authorized to charge any additional fees due to Deposit Account No. 50-0310.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **June 14, 2002**
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Respectfully submitted,
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01 FC:217 460.00 CH
02 FC:219 160.00 CH